



MARYLAND  
CATHOLIC  
CONFERENCE

February 23, 2023

**Senate Bill 686 - Civil Actions – Child Sexual Abuse –  
Definition, Damages, and Statute of Limitations (The Childs Victim Act 2023)**

**Senate Judicial Proceedings Committee**

**UNFAVORABLE**

The Maryland Catholic Conference is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals, and numerous charities combine to form our state's second largest social service provider network, behind only our state government.

At the outset, we wish to acknowledge the tremendously painful and emotional nature of the issue of child sexual abuse, the courage of the survivors of sexual abuse who advocate for changes in the law regarding the civil statute of limitations for cases involving child sexual abuse, and our sorrow for all those who have suffered through contact with anyone involved with the Catholic Church.

We are, however, compelled to oppose the current version of the legislation before you, specifically the unconstitutional provision that seeks to open an unlimited retroactive “window” allowing civil cases of child sexual abuse to be brought forward, regardless of how long ago the alleged incidents occurred.

We have noted in connection with past legislation that eliminating the civil statute of limitations retroactively raises serious equity concerns and is particularly unnecessary in Maryland, which does not have a criminal statute of limitations for cases of child sexual abuse. Maryland is one of few states that have no statute of limitations for felonies, and thus perpetrators of sexual abuse can be held accountable, and victims can have their day in court at any time until the death of the perpetrator, regardless of how long ago the sexual abuse occurred.

Additionally, the Maryland-serving dioceses have provided millions of dollars in therapeutic counseling assistance and in direct financial payments to victims as part of their ongoing commitment to contributing to the healing of victim-survivors.

While there is clearly no financial compensation that can ever rectify the harm done to a survivor of sexual abuse, the devastating impact that the retroactive window provision will potentially have by exposing public and private institutions - and the communities they serve - to unsubstantiated claims of abuse, cannot be ignored.

We further find it unacceptable that the bill, as currently drafted, exposes private institutions to far greater financial liability than it does public ones, which enjoy numerous protections, including a damages cap nearly 50 percent lower than the cap on damages that can be recovered in cases of abuse in private institutions.

Multiple times in the past, the Catholic Church in Maryland has supported efforts to extend the age by which victim-survivors may file civil suits. As a result, Maryland has, over the years, extended the age, most recently doing so in 2017. Currently, the law in Maryland allows victims until the age of 38 to file such claims; an extension supported by the church. The MCC has been vocal in its support of prospective legislation concerning this issue given the fact that that legislation seeking to retroactively revive claims currently time-barred in Maryland is unconstitutional, as noted in several Attorney General opinions.

We urge you to consider this legislation in light of the issues we have outlined here, and to give Senate Bill 686 an unfavorable report, in its current form.